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ATTORNEYS FOR DEFENDANT
DWAYNE MCGEE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISCTRICT OF CALIFORNIA

UNITES STATES OF AMERICA

Plaintiff,

vs.

DWAYNE MCGEE,

aka Jeff McGee

Defendant.

CASE NO. 2:09-CR-184 MCE

APPLICATION FOR RULE 10 WAIVER
OF PERSONAL APPEARANCE AT
ARRAIGNMENT; AND

ORDER

Comes now Defendant Dwayne McGee true name Dwain McGee by and through CJA assigned counsel to be, Donald H. Heller, hereby moves pursuant to Rule 10(b) of the Federal Rules of Criminal Procedure for an Order pursuant to Rule 10(c) of Rule 10, permitting the Defendant to waive is physical appearance for arraignment before the U.S. Magistrate Judge on June 18, 2009, at 2 p.m. and enter a not guilty plea and schedule the case for a status conference before the Hon. Morrison C. England, U.S. District Judge on a date convenient to the Court and the United States Attorney.

1 the case for a status conference before the Hon. Morrison C. England, U.S. District Judge on
2 a dated convenient to the on a date convenient to the Court and the United States Attorney. I
3 further advised the defendant of the federal speedy trial act rules and that I recommended that
4 he consent and request to exclude time under federal law because doing so was in his
5 interest.
6

7 I, Donald H. Heller, declare that the preceding paragraph is true and correct under the
8 penalty of perjury under the laws of the United States of America. Executed this 12th Day of
9 June 2009, in Sacramento, California.

10 Dated: June 16, 2009

/s/ Donald H. Heller
DONALD H. HELLER

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

DWAYNE MCGEE,

aka Jeff McGee

Defendant.

CASE NO. 2:09-CR-184 MCE

ORDER

GOOD CAUSE APPEARING, it is hereby ordered that Defendant Dwayne McGee's application pursuant to Rule 10(b) of the Federal Rules of Criminal Procedure for an Order pursuant to Rule 10(c) of Rule 10, permitting the Defendant to waive his physical appearance for arraignment before the U.S. Magistrate Judge on June 18, 2009, at 2 p.m. and enter a not guilty plea and schedule the case for a status conference before the Hon. Morrison C. England, U.S. District Judge on a date convenient to the Court and the United States Attorney. Attorney Donald H. Heller will appear in this Court on June 18, 2009, for the

1 arraignment proceedings waiver and the scheduling of a status conference before Judge
2 England.
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4 IT IS SO ORDERED
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6 Dated: June 16, 2009.
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9 U.S. MAGISTRATE JUDGE
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